

Sunset Public Hearing Questions for
SOIL SCIENTIST ADVISORY COMMITTEE
Created by Public Chapter 1032, Public Acts, 2010
(Sunset termination June 2011)

1. Provide a brief introduction to the Soil Scientist Advisory Committee, including information about its purpose, statutory duties, staff, and administrative attachment.

In keeping with legislative intent, TCA 62-18-210 created the Soil Scientist Advisory Committee to safeguard life, health, and property and to promote the public welfare, the practice of soil science in this state will be subject to regulation effective July 1, 2011. The Soil Scientist Advisory Committee (SSAC) shall advise the commissioner in the promulgation of rules and regulations necessary to carry out the provisions created in Public Chapter 1032, Title 4, Chapter 5. In addition to the promulgation of rules, the SSAC shall also advise the commissioner in:

- a. the design of the official seal for professional soil scientists;
- b. setting the amount of fees required;
- c. promulgation of rules for requiring continuing education;
- d. identifying and approving continuing education for licensees;
- e. receiving, administering and accounting for all moneys derived under the provisions of this part;

The SSAC shall be administratively attached to the division of regulatory boards in the Department of Commerce and Insurance.

2. Has the committee been appointed as authorized by Section 11(a), Public Chapter 1032, Public Acts, 2010? If so, provide a list of current committee members. Are there any vacancies on the committee and, if so, what is being done to fill those vacancies?

The committee was appointed effective February 14, 2011 and expire on January 31, 2012. The members are as follows:

1. John Thomas Ammons
Louisville, TN
2. Kyle B. Etheridge
Counce, TN
3. John Gerard Gibi
Mt. Juliet, TN
4. David A. Lietzke
Rutledge, TN
5. Kevin D. Raley
Thompson Stations, TN

There are no vacancies at this time.

3. What per diem or travel reimbursement do members receive? How much was paid to committee members during fiscal year 2011 and to date for fiscal year 2012? Were any other expenses charged to the committee?

TCA 62-18-210(c) of the Soil Scientists Act of 2009 specifically identifies that advisory committee members shall receive no compensation nor be entitled to be reimbursed for actual travel and other expenses incurred in attending any meeting and in performing any duties prescribed by the commissioner.

4. What were the committee's revenues (by source) and expenditures (by object) for fiscal year 2011 and to date for fiscal year 2012?

Fiscal Year 2011

License Fee Revenue: \$34,000.00

Expenditures:	State Professional Services (725)	\$4,177.29
	Third Party Professional & Adm Services (708)	\$194.00
	Communications and Shipping (706)	\$20.00
	Supplies and Office Furniture (709)	\$161.75
	TOTAL	\$4,553.04

Fiscal Year 2012 as of 10/7/11

License Fee Revenue: \$2,500

Expenditures: \$ 0 * (allocation pending)

5. What reports, if any, does the committee prepare on its operations, activities, and accomplishments, and who receives these reports?

Because the committee was only appointed in February 2011 and has had only one meeting to date (on August 8, 2011) there are no reports on its operations, activities, or accomplishments. There will be minutes of the August 8, 2011 meeting.

6. Does the committee have a web site? If so, please provide its web address. What kind of public information is provided on the site?

The Soil Scientist Licensing Program website is <http://tn.gov/commerce/boards/soil/index.shtml>. The website includes recent news, announcements, staff contact information, committee meeting calendars, minutes from previous meetings, links to laws and rules, links to forms and any other information which may be useful for licensees and the public.

- 7. Is the committee subject to Sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedure does the committee have for informing the public of its meetings and making its minutes available to the public?**

The committee is subject to all Sunshine law requirements. Notice will be provided in accordance with the standard operating procedures of the Department of Commerce and Insurance Division of Regulatory Boards, which includes posting notice on the program's website and notifying by email various interested parties. Minutes from all meetings, along with video or audio recordings of meetings, if available, will be posted on the program website after each meeting.

- 8. How many times did the committee meet during fiscal year 2011 and to date for fiscal year 2012, and how many members were present at each meeting?**

No meetings were held in FY 2011; one meeting has been held in FY 2012 to date (on August 8, 2011) and four of the five members were present.

- 9. Section 12, Public Chapter 1032. Public Acts, 2010, enumerates various powers and duties to be carried out by the Commissioner of Commerce and Insurance under advisement from the committee. Please specify which of these powers and duties have been accomplished and the role taken by the committee in each.**

- a) the design of the official seal for professional soil scientists (approved by the committee);
- b) setting the amount of fees required (approved by the committee);
- c) receiving, administering and accounting for all moneys derived under the provisions of this part;

A rulemaking hearing was held on January 24, 2011 in order to establish fees; the committee was appointed effective February 14, 2011. The rules that were established at the January 24, 2011 rulemaking hearing went into effect on July 19, 2011.

- 10. Was the full licensure process in place by July 1, 2011, as anticipated in the act? Are licenses currently being issued? If so, when were licenses first issued, how many have been issued to through the end of September 2011? How many applications were received through that date?**

- The full licensure process was established prior to the July 1, 2011 effective date.
- Licenses are currently being issued
- Licenses were first issued on July 1, 2011
- 72 applications have been received with 69 licenses being issued and 3 are currently pending approval.

11. Describe any items related to the committee that require legislative attention and your proposed legislative changes.

None at this time.

12. Should this committee be continued? Why or why not?

A determination of the propriety of this matter is best left to the discretion of the Legislature.

13. Please list all committee programs or activities that receive federal financial assistance and, therefore are required to comply with Title VI of the Civil Rights Act of 1964. Include the amount of federal funding received by program/activity.

None at this time.

If the committee does receive federal assistance, please answer questions 14 through 21. If the committee does not receive federal assistance, proceed directly to question 20.

~~14. Does your committee prepare a Title VI plan? If yes, please provide a copy of the most recent plan.~~

~~15. Does your committee have a Title VI coordinator? If yes, please provide the Title VI coordinator's name and phone number and a brief description of his/her duties. If not, provide the name and phone number of the person responsible for dealing with Title VI issues.~~

~~16. To which state or federal agency (if any) does your committee report concerning Title VI? Please describe the information your committee submits to the state or federal government and/or provide a copy of the most recent report submitted.~~

~~17. Describe your committee's actions to ensure that committee staff and clients/program participants understand the requirements of Title VI.~~

~~18. Describe your committee's actions to ensure it is meeting Title VI requirements. Specifically, describe any committee monitoring or tracking activities related to Title VI, and how frequently these activities occur.~~

~~19. Please describe the committee's procedures for handling Title VI complaints. Has your committee received any Title VI-related complaints during the past two years? If yes, please describe each complaint, how each complaint was investigated, and how each complaint was resolved (or, if not yet resolved, the complaint's current status).~~

20. Please provide a breakdown of current committee staff by title, ethnicity, and gender.

Administrative Director RB 1, Caucasian, Female
Administrative Assistant RB 1, Caucasian, Female
Administrative Assistant RB 1, Caucasian, Male
Administrative Assistant RB 2, Egyptian, Female

The staff members above are shared with the Tennessee Land Surveyors Board, the Tennessee Professional Geologist Licensure Program, Tennessee Real Estate Appraisers Commission and the Tennessee Home Inspectors Program.

21. Please list all committee contracts, detailing each contractor, the services provided, the amount of the contract, and the ethnicity of the contractor/business owner.

There are no committee contracts at this time.